

# BY THE U.S. GENERAL ACCOUNTING OFFICE

## Report To The Chairman Of The Commission On Security And Cooperation In Europe

### Helsinki Commission: The First 8 Years

The Commission on Security and Cooperation in Europe was established by law in 1976 to monitor and promote compliance with the human rights and other provisions of the international Helsinki accords of 1975 and to monitor and encourage U.S. governmental and private programs seeking to expand East-West economic and cultural cooperation. The Commission--composed of 12 members of Congress and 3 executive branch representatives--has concentrated largely on the first of those mandates.

With a small professional staff, the Commission has (1) actively promoted a strong U.S. human rights policy in the Helsinki process, (2) played a major role in planning and conducting U.S. Helsinki diplomacy, (3) made itself a principal Western source of information on Soviet and East European violations, and (4) helped resolve numerous family reunification cases for Eastern victims of Communist repression.



GAO/NSIAD-85-57  
MARCH 1, 1985

531359



UNITED STATES GENERAL ACCOUNTING OFFICE  
WASHINGTON, D.C. 20548

NATIONAL SECURITY AND  
INTERNATIONAL AFFAIRS DIVISION

B-217781

The Honorable Dante B. Fascell  
Chairman, Commission on Security  
and Cooperation in Europe

Dear Mr. Chairman:

This report, which describes and evaluates the work of the Commission on Security and Cooperation in Europe, is in response to your request of November 29, 1983.

As arranged with your office, we are also sending copies to the Department of State. Unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from the date of the report. At that time, we will send copies to interested parties and make copies available to others upon request.

Sincerely yours,

A handwritten signature in dark ink, reading "Frank C. Conahan". The signature is written in a cursive style with a large, stylized "F" and "C".

Frank C. Conahan  
Director

BY THE U.S. GENERAL ACCOUNTING OFFICE  
REPORT TO THE CHAIRMAN OF THE  
COMMISSION ON SECURITY AND COOPERATION  
IN EUROPE

HELSINKI COMMISSION:  
THE FIRST 8 YEARS

D I G E S T

The Final Act of the Conference on Security and Cooperation in Europe was signed in Helsinki August 1, 1975, by the heads of state or governments of the United States, Canada, and every state in Europe except Albania. In it the signatories declared their intention to expand cooperation in military, economic, and humanitarian affairs and to "respect and put into practice" certain basic principles, including those of human rights. For the Soviet Union, the signing climaxed more than a decade of diplomatic and propaganda effort to confirm the territorial and political status quo in Eastern Europe.

The Helsinki accords established for the first time a procedure by which the human rights records of each participating government would be subjected to systematic review, criticism, pressure, and negotiation by the others. This process is conducted at lengthy periodic review meetings which have emphasized human rights issues and focused attention principally on Western complaints concerning the Warsaw Pact governments' treatment of ethnic or religious minorities and dissident opinion. (See pp. 1 through 3.)

CREATION OF COMMISSION

To monitor and stimulate that process, the United States--alone among the signatories--created in 1976 an independent government agency, the Commission on Security and Cooperation in Europe (Helsinki Commission). This report, requested by the Commission's Chairman, describes and evaluates the Helsinki Commission's role in the Helsinki process.

The Commission comprises 12 members of Congress, representing both houses and both major parties, together with 3 representatives of the executive branch. It is authorized (1) to monitor and report on compliance of signatories and (2) to monitor and encourage U.S.

designed for an audience that includes members and staff of Congress, executive branch officials, media, scholars, foreign governments, and the numerous nongovernmental organizations concerned with international human rights issues. Scholars and others GAO consulted generally characterized the Commission's published output as comprehensive, balanced, and useful. (See pp. 7 through 10.)

#### Humanitarian casework

Some 3,500 individual victims of Soviet and East European noncompliance have entered the active files of the Helsinki Commission as "cases" to be recorded, updated, presented periodically to the offending governments, and pressed until resolved. This effort supplements the casework of the State Department.

While the Commission has in this way helped resolve hundreds of family reunification cases, the number is small in proportion to the total caseload. There is some evidence to support the belief of Commission personnel that this work can become more fruitful when and if East-West tensions ease and that meanwhile it has an important symbolic and psychological value for those most directly concerned, the dissidents of East Europe and the Soviet Union. (See pp. 10 through 12.)

#### Role in Helsinki diplomacy

Staff as well as congressional members of the Commission have from the beginning taken a leading role in the preparation and conduct of U.S. participation in Helsinki diplomacy. They have been fully and substantively integrated into the U.S. delegations, filling high-ranking as well as support positions and providing backup services from Washington as well. The thrust of the Commission's effort in Helsinki diplomacy has been to make human rights the centerpiece of U.S. Helsinki policy. Executive branch officials and others GAO consulted generally acknowledged the Commission's influence in this regard as a consequence of the staff's accumulated expertise, its congressional connection, and the positions it has held on the delegations. (See pp. 12 through 14.)

- played a major role in planning and conducting U.S. Helsinki diplomacy, and
- effectively promoted a strong U.S. human rights policy in the East-West dialogue about cooperation, detente, and military security.

The Commission has done considerably less to implement its second mandate--to monitor and encourage governmental and private programs aimed at expanding East-West economic and cultural cooperation.

The Commission has been an effective mechanism for achieving congressional intent. Yet it has invited criticism on constitutional grounds relating to the separation of powers because it has, in practice, given executive functions to staff personnel who report to members of Congress. No one GAO consulted suggested that this arrangement should be changed with respect to the Helsinki Commission. Some, however, cautioned against suggestions that such an arrangement might be applied to other areas of U.S. foreign relations. (See p. 19.)

#### AGENCY COMMENTS

We obtained comments on a draft of this report from the Commission staff and the Department of State. The comments dealt with clarification and minor corrections of some information and have been incorporated, as appropriate, into the report.

## C o n t e n t s

	<u>Page</u>
DIGEST	i
CHAPTER	
1 INTRODUCTION	1
The Helsinki process: its nature and rationale	1
Creation of the Commission	3
Objectives, scope, and methodology	5
Agency comments	5
2 PERFORMANCE OF THE COMMISSION	6
Commission has broadly defined its mandate to monitor and report on compliance	6
Staff appears well qualified for role	7
Commission widely acknowledged as an authority on Helsinki process	7
Humanitarian casework: an extension of the original mandate	10
Staff has assumed a major role in Helsinki diplomacy	12
Mandate to promote economic and cultural cooperation has received less emphasis in cool East-West climate	17
Conclusions	19
APPENDIX	
I Helsinki international meetings--past and projected	20
II Current and former CSCE commissioners	22
III Helsinki Commission publications	24
IV Partial list of related American nongovernmental organizations	30

### ABBREVIATIONS

CSCE	Conference on Security and Cooperation in Europe
ECE	United Nations Economic Commission for Europe
GAO	General Accounting Office
NATO	North Atlantic Treaty Organization

## CHAPTER 1

### INTRODUCTION

On August 1, 1975, after nearly 2 years of negotiations, 35 heads of state or government--representing the United States, Canada, and every state in Europe except Albania--met at Helsinki and signed the Final Act of the Conference on Security and Cooperation in Europe (CSCE). For the Soviet Union, the ceremony climaxed more than a decade of diplomatic and propaganda effort to confirm the territorial and political status quo in Eastern Europe. Whether the Final Act actually provided that confirmation has been a subject of debate. In any event, the West exacted a price: the Final Act also spelled out the signatories' political commitment to respect basic human rights--and established for the first time an agreed procedure by which their performance would be subjected to systematic review, criticism, negotiation, and public pressure. The "Helsinki process" became a new factor in East-West relations.

To both monitor and stimulate that process, the United States--alone among the signatories--established an independent government agency. What and how well that agency, the Commission on Security and Cooperation in Europe ("Helsinki Commission"), has done in its 8 years to date is the subject of this report.

#### THE HELSINKI PROCESS: ITS NATURE AND RATIONALE

The Final Act is a 40,000-word declaration of the parties' intentions to expand cooperation in military, economic, and humanitarian affairs and to "respect and put into practice" certain basic principles, including those of human rights. The Final Act is generally acknowledged to be "politically" rather than legally binding. It consists of four major sections, the first three of which became known informally as "baskets."

Basket I comprises commitments to certain "confidence-building" measures in the field of military security (e.g., advance notification of troop maneuvers) and a declaration of 10 guiding principles. The latter include, among others, territorial integrity of states; peaceful settlement of disputes; nonintervention in signatories' internal affairs, whether by the threat or use of armed force, political or economic coercion, or assistance to terrorist activities; self-determination of peoples; and (in Principle VII) "human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief."

Basket II--the longest and least controversial--enumerates measures the signatories contemplate to expand cooperation in economic, scientific, technological, and environmental affairs.

unanimous in the view not only that the Helsinki process is indispensable to long-term progress, but that their own plight had been eased rather than aggravated as a result of it.

Despite some division of opinion, all Western signatory governments have remained actively committed to the Helsinki process. State Department and congressional officials we consulted are confident that the Helsinki process and U.S. participation will continue.

#### CREATION OF THE COMMISSION

The bill to create the Commission on Security and Cooperation in Europe received the unanimous endorsement of Congress and was signed into law (Public Law 94-304) on June 3, 1976. The State Department had advised against the bill on the ground that the Commission's functions could be adequately carried out by the Department and existing committees or subcommittees of Congress. Furthermore, the State Department said in a letter (January 19, 1976) to the two foreign relations committees that the Commission's "extraordinary composition would not seem to provide an appropriate or effective means for coordinating or guiding our efforts." The reports of the foreign relations committees of both houses, however, made clear the congressional belief that although State would also monitor compliance, such a commission was needed to assure that both U.S. policy and public discussion would give appropriate emphasis to the human rights provisions of the Final Act.

The statute authorizes and directs the Commission:

"to monitor the acts of the signatories which reflect compliance with or violation of the articles of the Final Act...with particular regard to the provisions relating to Cooperation in Humanitarian Fields...

"to monitor and encourage the development of programs and activities of the United States Government and private organizations with a view toward taking advantage of the provisions of the Final Act to expand East-West economic cooperation and a greater interchange of people and ideas between East and West...

"to report to the House of Representatives and Senate with respect to the matters covered by this Act on a periodic basis and to provide information to Members of the House and Senate as requested...[and to] report on its expenditures..."

The Commission comprises 15 members---6 members of the House of Representatives and 6 members of the Senate, appointed respectively by the Speaker of the House and the President of the Senate, and one representative each from the Departments of



The Commission has an administrative services contract with the General Accounting Office (GAO), under which GAO processes the Commission's vouchers, pays its bills, manages its payroll, handles administrative formalities associated with hiring and retirement, and prepares certain end-of-year reports to the Treasury and the Office of Management and Budget.

#### OBJECTIVES, SCOPE, AND METHODOLOGY

This report was prepared in response to a letter from the Chairman of the Helsinki Commission asking us to review the Commission's work in relation to its statutory mandates. He requested "a general review of the output and value of the work done at the Commission during the past seven years."

Our review was conducted in Washington, D.C., from February to August 1984 in accordance with generally accepted government auditing standards. We assessed performance in terms of the legislative mandates, the qualifications of the staff, the quality of the Commission's products, and the nature and extent of the Commission's direct participation with the executive branch (notably the State Department) in the preparation and conduct of Helsinki diplomacy.

We examined the Commission's hearing records, minutes, publications, correspondence, and budget presentations, as well as pertinent material by scholars and journalists. We interviewed the Chairman, aides of the two successive Co-chairmen of the Commission, and all members of the Commission staff. We consulted the two ambassadors who headed, respectively, the U.S. delegations to Belgrade and Madrid, a half-dozen State Department officials at the ambassadorial or office-director level, staff members of the House Foreign Affairs and Senate Foreign Relations Committees, and four independent scholars familiar with international human rights issues.

We also consulted executives of four of the American non-governmental organizations that have been active in Helsinki-related affairs--National Conference on Soviet Jewry, Freedom House, Helsinki Watch, and B'nai B'rith International.

#### AGENCY COMMENTS

We obtained comments on a draft of this report from the Commission staff and the Department of State. The comments dealt with clarification and minor corrections of some information and have been incorporated, as appropriate, into the report.

Staff appears well qualified  
for role

The staff employed by the Commission to carry out those activities has credentials well suited to the purpose. Seven of the 11 professional staff members have advanced degrees, including three doctorates. Two were Fulbright Fellows. Eight have a working knowledge of Russian. Collectively they claim skills in eight languages--Russian, Czechoslovak, Serbo-Croatian, Ukrainian, French, Italian, Spanish, and German.

The staff has been relatively stable. The nine permanent members of the professional staff (excluding the two on short-term loan from other agencies) account for a total of 53 years service with the Commission to date. Two-thirds of the staff have served 7 or more years.

Commission widely acknowledged as  
an authority on Helsinki process

Through its data collection and research activities, the Commission has made itself a leading Western source of information on Soviet and East European violations of the Helsinki accords. Its published output is designed primarily for a selected official and nongovernmental audience in the United States and abroad. The Commission has also reported on U.S. compliance/noncompliance and published detailed accounts of the international Helsinki conferences. With the exception of a 1982 staff report on the human rights situation in Turkey and some critical references in its CSCE Digest to human rights problems in Yugoslavia, the Commission has not reviewed the records of other North Atlantic Treaty Organization (NATO), neutral, or nonaligned signatories. The Commission staff has had occasion to discuss allegations of police brutality in Northern Ireland with British Embassy officials.

The data collection and publication program draws on a variety of sources. These include the public testimony of emigres from the Soviet sphere, American and European specialists, and others; letters and samizdat ("self-published," unofficial documents) received directly or indirectly from dissidents in the Warsaw Pact countries; voluminous U.S. embassy cable traffic that the State Department routinely forwards to the Commission; the Department's semiannual reports on implementation; a compliance report compiled annually by NATO and distributed exclusively to the allied governments; consultations with foreign diplomats and interested American groups; surveys conducted by Commission personnel among recent emigres in Israel and elsewhere; translations of the Foreign Broadcast Information Service and Joint Publications Research Service from foreign government and foreign media material; and federal agencies concerned with aspects of U.S. compliance.

directly or indirectly from human rights activists in the Soviet Union and other countries of East Europe. These materials address a wide range of human rights concerns: repressions of monitoring group members, violations of the rights of ethnic minorities, impediments to emigration, problems of religious believers, and difficulties of current and former political prisoners. Some documents also treat economic concerns. Publication of these reports serves in part, as noted in the introduction to one of them, "to highlight the gross disparity between the actions of alleged 'criminals' and the reaction of their government." One of them, for example, provides what is described as the most complete documentation in English of the problem of Soviet Christians, mostly Evangelical Protestants, some 10,000 of whom have publicly declared their intention to emigrate. The Chairman and Co-chairman explained the purpose of such reports in the introduction to another in this series:

"Taken as a whole, these documents cast light on the darker side of Communist societies. That is not the only side, of course, but it is important to know that it exists and to realize that brave men and women are working to illuminate and correct it. In the hope that this sampling of their work will guide researchers and policy-makers in many countries to an understanding of the hopes brought into the open by the Helsinki accord, this volume is dedicated to its authors."

The Commission also assists in distributing the semiannual reports by the President to the Commission, entitled Implementation of the Helsinki Final Act, of which there have been 16 to date. These printed reports of some 30 pages in length, required by the CSCE statute, provide regular updates on international Helsinki meetings and review conferences and summarize compliance/noncompliance on the part of the Soviet Union and its allies with respect to each of the three Helsinki "baskets." The reports are prepared by the State Department's Bureau of European and Canadian Affairs, Office of Security and Political Affairs. They are based largely on data provided by the NATO allies and the U.S. embassies in the signatory countries.

The Commission's reporting to date, by focusing on the compliance record of the Soviet Union and its allies, has been highly negative regarding the Helsinki process. With the cooperation of the State Department and governments of Western Europe, the staff has just completed a special report that attempts to summarize the positive developments in international cooperation and human rights since the signing of the Helsinki Final Act.

(A complete list of the Commission's published hearings and reports can be found in app. III.)

like that pertaining to political prisoners, is used selectively in a variety of ways designed to apply pressure for resolving the cases.

The Soviet Union has consistently refused formal acceptance of such lists. For whatever reasons, however--the changing climate of detente, internal politics, the Helsinki process--the Soviet record on emigration has fluctuated markedly. The number of persons allowed to leave the Soviet Union more than tripled between 1975, when the Final Act was signed, and 1979. By 1983 Soviet emigration--Jewish to Israel, German to the Federal Republic, and mostly Armenian to the United States--had been cut back to less than 5 percent of the 1979 level.

Of the some 700 current Romanian cases, the Commission has ascertained from the U.S. Embassy in Bucharest that about 400 are eligible under U.S. law to immigrate to the United States. In any given year, according to the staff, more than half of such eligible cases are resolved. Every 4 months, the Commission updates its "eligible" or "presentation" list and presents it to the Romanian Embassy in Washington or to other officials of the Romanian government. The responsiveness of the Romanian government, according to State Department sources, is in part a function of its interest in maintaining eligibility of Romanian exports for most-favored-nation treatment in the United States. The Commission today has three file drawers of resolved cases (some 1,800 to date according to a staff estimate), most of them Romanian, and a number of letters reflecting the gratitude of reunited family members.

Through unsolicited letters received from West German citizens, the Commission has developed a file of some 400 cases involving Germans desiring to leave Romania. The Commission has confined itself to forwarding the list to the German ambassador in Washington and to updating the list as and when further information arrives.

The State Department has indicated no objection to the Commission's casework involvement in Helsinki diplomacy, and indeed has referred some inquiries to the Commission. State maintains its own "representation" lists in various categories. They are confined to emigration cases involving eligible relatives of American citizens. State has also sought to assist some applicants for Israel. The Commission's lists extend more broadly to include relatives of permanent U.S. residents and applications involving third countries generally. According to State Department officials, this casework essentially supplements and reinforces that of the State Department.

Of the total caseload over the years, the proportion of resolved cases remains small. Commission staffers believe that this work can become more fruitful when and if East-West tensions ease and that meanwhile it has an important symbolic and

The thrust of the Commission's effort in Helsinki diplomacy has been to make human rights the centerpiece of U.S. Helsinki policy. The Commission was intended, in the words of one of its founders, to "help agencies like the State Department speak more forcefully for human rights" because of the legislative branch's closer association with "individual cases and group assessments developed by associations in this country." Executive branch officials we consulted generally acknowledged the Commission's influence in this regard as a consequence of its congressional connection, its accumulated expertise, and the positions it has held on the delegations.

A crucial instance of the interplay between the Commission and the State Department in setting the U.S. course on Helsinki occurred in the early stages of preparations for the Madrid review meeting. In September 1979, the Commission Chairman and Co-chairman wrote the Secretary of State urging that U.S. representatives announce a strong position in upcoming consultations with the NATO allies. The letter recommended informing the allies that human rights remained a central theme of U.S. foreign policy; that in the U.S. view the review of implementation would be the most important aspect of the Madrid meeting; that during the review the United States would specifically criticize flagrant violations and mention specific names and cases and hoped the allies would do the same; that any further measures, including post-Madrid working groups or expert groups, designed to improve implementation of the various Helsinki goals must be balanced and must include the human rights goals; and that the procedures agreed to at Belgrade designed to ensure a thorough review of implementation should be preserved. The delegation was so instructed.

In December 1983, the Secretary of State was preparing to take part in the CSCE Stockholm Conference on Confidence and Security Building Measures and Disarmament in Europe. The Commission Chairman wrote the Secretary:

"Viewed strictly from the perspective of the CSCE process, I believe your attendance could have a negative effect as it will tend to highlight the military security part of the Helsinki process at the expense of the human rights dimension. As you know, a fundamental shift in this direction has long been the primary Soviet objective in CSCE, and the United States Government, led by the State Department and the Commission, worked long and hard at the Madrid meeting to prevent just such a shift by insisting on a balanced outcome."

Accordingly, the Chairman recommended that the Secretary use the occasion "to recall the integral connection established in the CSCE between military security and human rights" and to express concern about human rights violations. He further recommended that the Secretary take the opportunity to reiterate continuing U.S. concern over the fate of Swedish diplomat Raoul Wallenberg,

problems in Yugoslavia.) This generally positive assessment of the Commission by nongovernmental organizations has been reflected in their testimony and lobbying on Capitol Hill. It has been further reflected in certain awards, such as those conferred on the Commission by the Joint Baltic-American National Committee (1981), the Anti-Defamation League of B'nai B'rith (1982), and Christian Solidarity International (1983). The Chairman and Vice Chairman of the New York based Helsinki Watch wrote the Commission Chairman (November 26, 1980):

"Both we and other members of our Committee who were in Madrid were impressed, as we have been consistently over the past few years, with the superb efficiency and knowledge of each working member of the Helsinki Commission's staff. It is clear that the continuity of this excellent staff is in large part responsible for the fine work that the Commission has done, and we look forward to working with the same people in a consistent fashion in the years to come."

Adverse criticism of the Commission's efforts by observers in Congress, the executive branch, and the private sector has been infrequent. As noted previously, the State Department initially objected to the creation of the Commission, on the ground that State and existing congressional committees could more properly perform the Commission's functions and that executive officials' participation as commissioners would be awkward.

While the Department has since then cooperated fully with the Commission, officials we consulted generally believed that its creation raised constitutional issues concerning the separation of executive and legislative powers and that for this reason it should not be viewed as a precedent for managing other foreign affairs issues. (Some observers outside the executive branch have suggested that on the contrary this unusual form of executive-legislative cooperation should be evaluated for possible application to other aspects of U.S. foreign relations.) Further, as noted in chapter 1, some observers have criticized the Helsinki agreement itself, on the ground that it relies on commitments which the Eastern signatories cannot be expected to honor and is therefore meaningless or fraudulent. Finally, a ranking State Department professional was highly critical of what he perceived in the early days of the Commission as the unduly independent conduct of Commission staff members while serving on U.S. delegations to the international Helsinki meetings. (The Commission Staff Director disagreed with that characterization of staff conduct.) Such difficulties appear to have receded as the relationship developed, and the principle seems clearly established that, as the Secretary of State wrote in a letter to the Chairman (March 10, 1977):

Under the rules of the Commission, which were adapted from those of the joint legislative committees, the chairman is authorized and required to control all Commission travel:

"No member of the commission or staff shall travel abroad on commission business unless specifically authorized by the chairman, who is required by law to approve vouchers and report expenditures of foreign currencies. Requests for authorization of such travel shall state the purpose and, when completed, a full report shall be filed with the commission. The commission is considered as an appropriate committee of the Congress for purposes of foreign travel as provided in section 502(b) of the Mutual Security Act of 1954."

For each trip, a letter signed by the chairman is addressed to the Secretary of State requesting authorization under the Mutual Security Act and stating name of traveler, destination, purpose and expected dates, and appending an itinerary.

The issue of travel by Commission staffers thus appears to concern not travel, as such, but whether or not the staff's participation in the international conferences is appropriate. The Commission assumed that function as an extension of its statutory mandate to monitor and report on implementation of the Helsinki Final Act. The State Department officials we consulted and the chiefs of the U.S. delegations, among others, generally agreed that Commission staffers have made a distinctive and valuable contribution in that role. A State Department official stated that had Commission personnel not served on the delegations, State's own travel expenditures would have had to be increased.

MANDATE TO PROMOTE ECONOMIC AND  
CULTURAL COOPERATION HAS RECEIVED  
LESS EMPHASIS IN COOL EAST-WEST CLIMATE

The Commission's second mandate is to monitor and encourage governmental and private programs aimed at expanding East-West economic cooperation and the interchange of people and ideas. The Commission has put considerably less emphasis on this function.

According to the staff, much of the economic cooperation envisaged in Basket II of the Helsinki Final Act--concerning energy, the environment, industrial cooperation, economic and commercial information, etc.--is the province of the United Nations Economic Commission for Europe (ECE), whose membership closely parallels that of the CSCE. The Commission staff has long taken an active part in discussions within the U.S. government on U.S. policies at the ECE and has participated in U.S. delegations to the annual ECE plenary sessions, meetings of the Committee on the Development of Trade and of the Senior Advisors on Energy, and the 1979 High-Level Meeting on the Environment,

opportunities for contact and exchange with the East, it is possible that they would take a more active and effective role in opening many more doors than a limited number of diplomats alone can ever hope to do. Perhaps such private initiatives similar to those the Commission has been mandated by law to encourage, will only be rebuffed. But without attempting them, we cannot know."

## CONCLUSIONS

We believe that the Commission on Security and Cooperation in Europe has

- helped, through its hearings and reports, to focus public attention and to inform public opinion and has made itself a principal Western source of information on Soviet and East European violations of the Final Act;
- helped resolve numerous family reunification cases for Eastern victims of Communist repression;
- played a key role in planning and conducting U.S. Helsinki diplomacy; and
- effectively promoted a strong U.S. human rights policy in the East-West dialogue about cooperation, detente, and international security.

The Commission has put considerably less emphasis on implementing its second mandate--to monitor and encourage governmental and private programs aimed at expanding East-West economic and cultural cooperation.

The Commission's unusual organizational arrangement has worked well, although there were some initial difficulties, and as some observers have pointed out, more orthodox arrangements could also have worked well. Commission participation in the international conferences has enhanced its ability to carry out its mandate to monitor and report on implementation of the Helsinki accords, and it has increased the ability of the Commission's congressional members to influence U.S. policy in the Helsinki process. Yet it has invited criticism on constitutional grounds relating to the separation of powers because it has, in practice, given executive functions to staff personnel who report to members of Congress. No one we consulted has suggested that this arrangement should be changed with respect to the Helsinki Commission. Some, however, have cautioned against suggestions that such an arrangement might be applied to other areas of U.S. foreign relations.



Follow-up Meetings To The Madrid CSCE Review Meeting

<u>Date</u>	<u>Place</u>	<u>Meeting</u>
<u>1983</u>		
10/25/83	Helsinki, Finland	Preparatory Meeting to Stockholm Meeting
<u>1984</u>		
01/17/84	Stockholm, Sweden	Conference on Confidence and Security Building Measures and Disarmament in Europe (4 sessions in 1984; 4 scheduled for 1985)
03/21/84	Athens, Greece	Experts Meeting on Peaceful Settlement of Disputes in the Mediterranean
10/16/84	Venice, Italy	Venice Seminar on Economic, Scientific and Cultural Cooperation in the Mediterranean Within the Framework of the Valletta Meeting of Experts
11/21/84	Budapest, Hungary	Preparatory Meeting to the Cultural Forum
<u>1985</u>		
04/23/85	Ottawa, Canada	Preparatory Meeting to the Experts Meeting on Human Rights
05/07/85	Ottawa, Canada	Experts Meeting on Human Rights
08/01/85	Helsinki, Finland	Commemorative Meeting on the Tenth Anniversary of the Helsinki Final Act
10/15/85	Budapest, Hungary	Cultural Forum
<u>1986</u>		
04/02/86	Bern, Switzerland	Preparatory Meeting to Experts Meeting on Human Contacts
04/16/86	Bern, Switzerland	Experts Meeting on Human Contacts
09/23/86	Vienna, Austria	Preparatory Meeting to the Vienna CSCE Review Meeting
11/04/86	Vienna, Austria	Vienna CSCE Review Meeting

Sen. Clifford Case (R)  
Sen. James Buckley (R)

Appointed in 1977

Sen. Robert Dole (R) (replaced Sen. James Buckley) (Appointed  
Co-Chairman in 1981)

Appointed in 1979

Sen. George McGovern (D) (replaced Sen. Dick Clark)  
Sen. Jacob Javits (R) (replaced Sen. Clifford Case)

Appointed in 1980 (replaced Sens. Stone, McGovern, and Javits)

Sen. Orrin G. Hatch (R)  
Sen. John Heinz (R)  
Sen. Alfonse D'Amato (R)

EXECUTIVE BRANCH COMMISSIONERS

Appointed October 12, 1976

James G. Poor, Principal Deputy Assistant Secretary of Defense  
for International Security Affairs  
Monroe Leigh, Legal Adviser of the Department of State  
Mansfield D. Sprague, Counselor to the Secretary of Commerce  
for Congressional Affairs

Appointed June 10, 1977

Patricia M. Derian, Coordinator for Human Rights and  
Humanitarian Affairs, Department of State  
David E. McGiffert, Assistant Secretary of Defense  
Frank A. Weil, Assistant Secretary of Commerce

Appointed November 17, 1981

William H. Morris, Jr., Assistant Secretary of Commerce\*  
Richard N. Perle, Assistant Secretary of Defense  
Stephen E. Palmer, Jr., Senior Deputy Assistant Secretary for  
Human Rights, Department of State

Appointed November 1, 1982

Elliott Abrams, Assistant Secretary of State for Human Rights  
and Humanitarian Affairs, Department of State

\*Department of Commerce commissionership now vacant.

Volume V

Title: The Right to Citizenship in the Soviet Union  
(5/4/78)  
Jacket: #32-057 - GPO Stock #052-070-04720-8  
Cost: \$1.40

Volume VI

Title: Soviet Law and the Helsinki Monitors  
(6/6/78)  
Jacket: #32-057 - GPO Stock #052-070-04718-6  
Cost: \$2.75

Volume VII

Title: Repercussions of the Trials of the Helsinki  
Monitors in the U.S.S.R. (7/11/78)  
Jacket: #34-224 - GPO Stock #052-070-04758-5  
Cost: \$2.50

Volume VIII

Title: U.S. Compliance: Human Rights (4/3 and  
4/4/79)  
Jacket: #47-282 - GPO Stock #052-070-05055-1  
Cost: \$6.50

Volume IX

Title: U.S. Visa Policies (4/5/79)  
Jacket: #50-083 - GPO Stock #052-070-05166-3  
Cost: \$4.00

Volume X

Title: Aleksandr Ginzburg on the Human Rights  
Situation in the U.S.S.R. (5/11/79)  
Jacket: #47-769 - GPO Stock #052-070-05056-0  
Cost: \$1.50

Volume XI

Title: Pastor Georgi Vins on the Percussion of  
Reformed Baptists in the U.S.S.R. (6/7/79)  
Jacket: #55-439 - GPO Stock #052-070-05212-1  
Cost: \$4.00

Volume XII

Title: Review of East European Compliance with the  
Human Rights Provisions of the Helsinki  
Final Act (3/2 5/80)  
Jacket: #63-087 - GPO Stock #052-070-05340-2  
Cost: \$4.25

Title: The Assassination Attempt on Pope John II  
(09/23/82)  
Jacket: #13-417

Title: The Plight of Soviet Jewry (06/23/83)  
Joint hearing of the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee and the Commission on Security and Cooperation in Europe.  
Jacket: #30-834

Title: Psychiatric Abuse in the Soviet Union  
(9/20/83) Joint hearing of the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee and the Commission on Security and Cooperation in Europe.  
Jacket: #35-108

Title: Forced Labor in the USSR (11/07/83)  
Joint hearing of the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee and the Commission on Security and Cooperation in Europe.  
Jacket: #29-596

Title: Implementation of the Helsinki Accords: The Situation of Andrei Sakharov and Unofficial Peace Groups in the U.S.S.R. and Eastern Europe (05/22/84). Hearing before the Commission on Security and Cooperation in Europe.  
Jacket: #37-500

SEMIANNUAL REPORTS: "Implementation of the Helsinki Final Act"

First	Semiannual Report, June 1 - Dec. 1, 1976
Second	Semiannual Report, Dec. 1, 1976 - June 1, 1977
Third	Semiannual Report, June 1 - Dec. 1, 1977
Fourth	Semiannual Report, Dec. 1, 1977 - June 1, 1978
Fifth	Semiannual Report, June 1 - Dec. 1, 1978
Sixth	Semiannual Report, Dec. 1, 1978 - May 31, 1979
Seventh	Semiannual Report, June 1 - Nov. 30, 1979
Eighth	Semiannual Report, Dec. 1, 1979 - May 31, 1980
Ninth	Semiannual Report, June 1 - Dec. 1, 1980
Tenth	Semiannual Report, Dec. 1, 1980 - May 31, 1981
Eleventh	Semiannual Report, June-Nov. 30, 1981
Twelfth	Semiannual Report, Dec. 1, 1981 - May 31, 1982
Thirteenth	Semiannual Report, June 1 - Nov. 30, 1982
Fourteenth	Semiannual Report, Dec. 1, 1981 - May 31, 1983
Fifteenth	Semiannual Report, June 1, 1982 - Nov. 30, 1983
Sixteenth	Semiannual Report, Dec. 1, 1983 - May 31, 1984

**Request for copies of GAO reports should be sent to:**

**U.S. General Accounting Office  
Document Handling and Information  
Services Facility  
P.O. Box 6015  
Gaithersburg, Md. 20760**

**Telephone (202) 275-6241**

**The first five copies of individual reports are free of charge. Additional copies of bound audit reports are \$3.25 each. Additional copies of unbound report (i.e., letter reports) and most other publications are \$1.00 each. There will be a 25% discount on all orders for 100 or more copies mailed to a single address. Sales orders must be prepaid on a cash, check, or money order basis. Check should be made out to the "Superintendent of Documents".**

# THE HISTORY OF THE

REIGN OF

CHARLES  
THE FIRST

BY  
JAMES CLAYTON  
OF THE TEMPLE, ESQ.

LONDON:

governmental and private programs seeking to expand East-West economic and cultural cooperation. In creating the Commission, Congress rejected the State Department's advice that the Commission would not add significantly to the work of the Department in this field.

Both the House Foreign Affairs Committee and the Senate Foreign Relations Committee had concluded that the Commission was needed to ensure that both U.S. policy and public discussion would give appropriate emphasis to the human rights provisions of the Final Act. (See pp. 3 through 5.)

#### PERFORMANCE OF COMMISSION

With a permanent staff of up to 15 and an annual appropriation since 1978 of \$550,000, the Commission has sought to carry out its first mandate by performing three broad functions: (1) research and publication, principally on Eastern bloc violations of the human rights provisions of the accords and the struggle of Eastern dissidents; (2) compiling records of cases of Eastern repression against individuals and seeking their resolution; and (3) taking part in the preparation and conduct of the international follow-up conferences, experts' meetings, and bilateral consultations that constitute the heart of the Helsinki process. (See p. 6.)

The qualifications of the staff--including advanced degrees and foreign language skills--appear well suited to the performance of those functions. The staff operates under a single staff director, serving members of both parties as well as both houses of Congress on issues--Eastern human rights performance--that are generally perceived to be nonpartisan in nature. (See pp. 4 and 7.)

#### Developing and disseminating information

The Commission has become a leading Western source of information about the Helsinki process and Soviet and Eastern European violations of the human rights provisions of the accords. Its research and publications are

Letters in the Commission's files and statements to GAO by officials in the executive and legislative branches and by independent scholars, as well as by executives of some of the numerous nongovernmental organizations with which the Commission cooperates, expressed high regard for the quality and value of the Commission's work in developing and disseminating information, resolving humanitarian cases, and conducting Helsinki diplomacy. (See pp. 23 through 25.) Adverse criticism of the Commission has been infrequent. (See pp. 25 through 27.) One of the most widely noted criticisms has concerned the amount of staff travel. Extensive travel has resulted from the Commission's participation in the Helsinki international meetings. In a more general sense, there has been some concern that certain activities of the Commission would more appropriately be performed by the Department of State. Initial adverse Department reaction to the Commission's performing apparently executive functions has abated but would likely resurface if it were viewed as precedent setting. (See pp. 14 through 17).

#### PROMOTING ECONOMIC AND CULTURAL COOPERATION

The Commission's "second mandate" is to monitor and encourage governmental and private programs aimed at expanding East-West economic cooperation and the interchange of people and ideas. The Commission has put considerably less emphasis on developing this function, in part, according to staff members, because the climate of East-West relations following the 1979 Soviet invasion of Afghanistan has not been propitious. (See pp. 17 and 19.)

#### CONCLUSIONS

GAO believes that the Helsinki Commission has

- become a principal Western source of information on Soviet and East European violations of the Helsinki Final Act,
- helped resolve numerous family reunification cases for Eastern victims of Communist repression,







Basket III provides for cooperation in "humanitarian and other fields." Its centerpiece is the section on human contacts, in which the parties undertake to facilitate emigration for the reunification of families and binational marriages and travel for personal or professional reasons. These clauses have provided the basis for Western representations to the Communist governments on behalf of thousands of individuals and a humane resolution for many of them. Basket III also contemplates improvements in the dissemination of information and in cultural and educational exchanges.

The concluding section of the Final Act provides for the perpetuation of the Helsinki process. The parties would "proceed to a thorough exchange of views both on the implementation of the provisions of the final Act and of the tasks defined by the Conference..."

The first review meeting was held at Belgrade, from October 4, 1977, to March 9, 1978, with a 4-week Christmas recess. The second was held intermittently in Madrid between November 11, 1980, and September 9, 1983. A third follow-up meeting is scheduled for November 1986 in Vienna. (For a list of all past and scheduled Helsinki international meetings, see app. I.)

In sum, the Helsinki process comprises a range of political commitments and a series of follow-up review meetings in which the signatories collectively and bilaterally appraise their compliance records and seek ways to improve cooperation. The process has become a forum in which the West focuses attention on the Eastern governments' violations of the human rights provisions and their mistreatment of ethnic or religious minorities and political dissidents.

The Helsinki process is not without its critics. They maintain that the Final Act sanctified the European frontiers of Soviet hegemony in exchange for Soviet commitments on human rights and humanitarian issues which the Kremlin had no intention and indeed little ability to honor. The follow-up review meetings are seen as exercises in futility--refining or enlarging empty promises, aggravating the plight of Eastern human rights activists, and rekindling the unproductive rhetoric of the Cold War.

To the advocates of the Helsinki process, however, there is another side of the coin. As President Reagan said in commenting on the Madrid meeting, the United States upholds the Helsinki process not because it entertains illusions about the nature of the Soviet system but because the Helsinki and Madrid accords set forth "a clearer code of conduct for all 35 CSCE states--a set of standards to which we and the other Atlantic democracies will continue to hold all those who will have pledged their word..." Furthermore, Soviet and East European human rights activists testifying before the Commission appeared

State, Defense, and Commerce, appointed by the President. Four of the six members from each house are selected from the majority party and two, in consultation with the minority leaders, from the minority party. Current executive branch commissioners are assistant secretaries of State and Defense. The Commerce Department position is vacant. Under the statute, the Speaker of the House appoints a member of the House as chairman. (The Commission created the position of co-chairman, assigning it to the senior commissioner representing the majority party in the Senate.) Amendments proposed in 1984 to rotate the chairmanship between House and Senate every 2 years were not enacted.

The Commission thus structured is, according to a memorandum to the Chairman from the Staff Director and General Counsel (February 3, 1977), an independent governmental agency and a continuing body until it is abolished by law or it "terminates its activities by its own actions." (A list of current and past commissioners is provided in app. II.)

The Commission is authorized to appoint such staff personnel as it deems desirable, without regard to federal regulations governing appointments in the competitive service, classification, or general schedule pay rates. Salaries and benefits are comparable to those of congressional committees. The professional staff members, although identified in the Commission's records as Republican or Democratic appointees, function as a single entity under a single staff director, serving members of both parties as well as both houses on issues (Soviet and East European human rights performance) that are generally perceived to be nonpartisan in nature. The co-chairman has testified that members of the staff "are in a fundamental sense beyond politics" and said it was "essential that the professional standards of the staff be maintained."

The staff, whose size has not varied significantly over its 8 years to date, currently comprises 13 permanent full-time and 2 permanent part-time employees--a staff director and general counsel, a deputy staff director, a senior staff assistant, 8 staff assistants, an office manager, an administrative assistant, a receptionist/secretary, and 1 research assistant. In addition, the Commission customarily acquires, for a year or two at a time, two senior staff employees loaned and paid by the State Department, the U.S. Information Agency, or other government agencies. The Commission also engages up to seven college students as interns for periods of a few months each year to do casework and research.

Under a 1978 amendment of the enacting statute, \$550,000 is authorized to be appropriated and remain available until expended each fiscal year, up from the original authorization of \$350,000 in 1976. Some 68 percent of the Commission's budget for fiscal year 1985 was for personnel compensation.

## CHAPTER 2

### PERFORMANCE OF THE COMMISSION

The Commission operates under two statutory mandates. The first is to monitor and report on compliance/noncompliance of signatories with the terms of the Helsinki Final Act. The second is to monitor and encourage the development of U.S. government and private programs to expand East-West economic and cultural cooperation. To date, the Commission has focused primarily on the first mandate.

#### COMMISSION HAS BROADLY DEFINED ITS MANDATE TO MONITOR AND REPORT ON COMPLIANCE

In fulfilling the first of its two mandates, the Commission has developed and carried out three broad functions: (1) research and publication, principally on Soviet and East European violations of the human rights provisions of the Final Act and the struggle of the dissidents; (2) casework--collecting and updating information on and seeking the resolution of individual cases falling under the Final Act's human rights and humanitarian provisions; and (3) taking part in the preparation and conduct of the international follow-up conferences, experts' meetings, and bilateral consultations that constitute the heart of the Helsinki process.

These functions have engaged staff in a considerable range of activities: public hearings; research; publications; interviewing dissidents from East Europe and the Soviet Union; consulting with scores of nongovernmental organizations concerned with human rights or the condition of minority groups in various countries; corresponding on cases or issues in response to inquiries from the public; providing background briefings on request from senators and representatives; conferring with foreign embassy personnel and diplomatic visitors; providing information to scholars and journalists; writing and presenting papers to scholarly meetings; preparing written responses to inquiries received from congressional offices; participating in the meetings of the interagency CSCE Working Group chaired by the State Department; reviewing drafts of the Department's semi-annual reports on Helsinki affairs; drafting speeches, articles, and other materials for commissioners and other members of Congress; giving speeches before American audiences; proposing and preparing joint resolutions for adoption by Congress; preparing periodic reports to Congress; reviewing and culling pertinent cable traffic from American embassies in the signatory countries; and preparing and participating in the annual congressional appropriations hearings.

From this material, Commission specialists prepare (1) the periodic and special reports that the Commission publishes and distributes to those on its mailing lists in the United States and abroad and (2) the "presentation lists" through which the Commission seeks to assist individual victims of East European repression.

The current mailing lists comprise 2,308 addressees. Of these, 92 are members or staff of Congress, 323 are overseas, and 1,893 are U.S. addressees outside of Congress. Both the foreign and domestic lists include governments, private groups, international organizations, academics, journalists, and individuals. The Commission occasionally surveys its recipients to remove names of those advising they no longer wish to receive Commission materials.

The regular reports of the Commission are the Annual Report, covering the calendar year; the Activities Report, covering the 2-year period of each congressional session; and the CSCE Digest. The Digest, issued approximately twice a month, compiles excerpts from North American and European media coverage of Helsinki-related topics and includes articles, commentary, and a section on Commission activities. It runs 15 to 20 pages and is distributed to about 800 addressees in the United States and abroad.

The principal end-products of the Commission's efforts to monitor the compliance/noncompliance of the signatories of the Helsinki Final Act have been, to date, three reports on "implementation" which appeared, respectively, 2, 5, and 7 years after Helsinki. These compliance reports differ from the State Department's semiannual compliance reports in that they cover extended periods of time; supplement State's factual material with information obtained from other sources, including Commission hearings; and provide their own conclusions regarding the significance of the developments reported.

Additionally, the Commission has issued two reports covering, respectively, the Belgrade and Madrid meetings and an analysis of U.S. compliance entitled Fulfilling Our Promises: The United States and the Helsinki Final Act, A Status Report. (The latter addresses many issues raised by foreign and domestic critics of the United States--including the treatment of women and minorities, the status of Puerto Rico and Micronesia, allegations of police misconduct, the enforcement of voting rights, prison conditions, unemployment, immigration policy, and U.S. nonratification of the U.N. human rights covenants. It documents a compliance record that it characterizes broadly as very good and getting better, but, in specified areas, in need of further improvement.) These reports have been supplemented by the published records of 28 Commission hearings thus far.

The Commission staff has also compiled, translated, and edited a series of selected "documents of dissent" received

The Commission's cooperation with interested nongovernmental organizations has been an important element in its information gathering and dissemination activity. Such groups (for example, Helsinki Watch, National Conference on Soviet Jewry, and Freedom House) are, as the Commission's annual reports acknowledge, "a primary source of information for the Commission as well as the major channel through which the Commission publicizes its work." A partial list of organizations which provide information to and use products of the Commission appears in app. IV.

The reports and publications of the Commission are designed for an audience that includes members of Congress, executive branch officials, media, scholars, foreign governments, and the Helsinki-related nongovernmental organizations. Among the media, these materials are of special interest to the Voice of America and to Radio Free Europe/Radio Liberty, which uses them extensively in carrying out its functions as a widely followed surrogate free press for Eastern Europe and the Soviet Union. The scholars and others we consulted generally characterized the Commission's published output as comprehensive, balanced, and useful.

#### Humanitarian casework: an extension of the original mandate

Some 3,500 individual victims of Soviet and East European noncompliance have entered the active files of the Helsinki Commission as "cases" to be recorded, updated, presented periodically to the offending governments, and pressed until resolved. An offshoot of the monitoring activity, the casework has helped reunite hundreds of families whose plight has come to the Commission's attention primarily through correspondence and Western publications.

Of the Commission case files, more than 700 concern political prisoners, mostly Soviet citizens. Such cases, depending on their circumstances, become the subject of behind-the-scenes representations, public hearings, reports, speeches, articles, or congressional resolutions. These are prepared, for the most part, by the Commission staff for the Chairman, other commissioners, other members of Congress, or U.S. delegations to the international meetings. Information about cases is shared with other interested governments, some of whom have also developed case files and have joined the United States in making them an integral part of the Helsinki process.

The other roughly 2,800 files comprise an estimated 1,900 Soviet citizens, more than 700 Romanians, and a small number of Poles, Bulgarians, and Czechoslovaks who are seeking to emigrate. Most of these cases fall under the human contacts provisions of the Final Act, relating to family reunification, binational marriage, or family visitation. A few cases concern travel for personal or professional reasons. This material,

psychological value for those most directly concerned, the dissidents and "refusniks" (unsuccessful applicants for emigration) of Eastern Europe. The marked fluctuations of Soviet emigration policy, noted above, tend to support the former judgment. Emigre testimony before the Commission confirms the latter.

Staff has assumed a major  
role in Helsinki diplomacy

The Commission's third main function--participation in the preparation and conduct of the international conferences that are the heart of the Helsinki process--was not foreseen in the CSCE statute. It became, however, one of the Commission's first objectives, as a means to enhance both its expertise and its influence. Despite early resistance from State Department professionals, Commission staff as well as commissioners have from the beginning been fully and substantively integrated into the U.S. delegations.

At the Belgrade review meeting in 1977-1978, 8 commissioners and 14 staff members took part. In two of the working groups, Commission personnel chaired the U.S. representation. The Commission staff also supplied three of the seven-member U.S. delegation at the June preparatory meeting, and prior to that served on the interagency U.S. delegations in preparatory bilateral consultations with Western, nonaligned, and Eastern signatory governments. As recounted in the Commission's first Activities Report (October 11, 1979), Commission personnel drafted and delivered speeches, chaired meetings, wrote cabled reports to Washington, advised on strategy, handled correspondence, conducted press conferences, briefed and scheduled congressional and other American visitors, and provided a significant part of the delegation's administrative and secretarial support throughout the conference.

That pattern of Commission participation was repeated and further developed at the second review conference in Madrid. By that time the Commission had gained enough status and expertise to perform some high-ranking assignments on the delegation. The Commission's Chairman and Co-chairman served as vice chairmen of the delegation, and its staff director became deputy chairman under the chairmen appointed successively by Presidents Carter and Reagan to head the U.S. team.

Commission personnel also provided backup support to the delegation from Washington. At any given time during the conference, about half the Commission staff was working in Madrid. Rotation of the staff over the 3-year period assured the opportunity of experience there for virtually every staff member. Commission personnel have also held senior positions in the U.S. delegations to the various experts' meetings, including the 1978 Montreux meeting on peaceful settlement of disputes, where the staff director served as co-chairman, and the 1980 meeting at Bonn on scientific issues.



whose exploits in World War II are credited with saving the lives of thousands of Hungarian Jews and who reportedly disappeared in the Soviet Union after the war. The Secretary's letter in reply was affirmative. His Stockholm speech (January 17, 1984) confirmed executive-legislative unity on the Helsinki process.

The Commission's files reveal numerous other instances in which, through letters, hearings, or meetings, it has with varying success pressed its views on the State Department, the National Security Council, or the President. It has sponsored resolutions and organized special orders expressing the sense of Congress on Helsinki issues. It has challenged (apparently to some effect) an issue of the State Department publication Gist which had seemed to cast doubt on continued U.S. nonrecognition of the Soviet Union's annexation of the Baltic states. It has proposed (in 1979, although unsuccessfully) a revision of American policy to encourage U.S. advocacy of emigration cases even when they "touch no direct U.S. interest."

The Commission was instrumental in the decision to include representatives of key nongovernmental organizations as "public members" on the U.S. delegation to Madrid. Commissioners believe nongovernmental organizations' participation proved useful in three ways--in emphasizing U.S. public support for the Helsinki process, reinforcing the delegation's strong human rights posture, and opening an information channel back to interested publics in the United States.

Issues of role and rank on the delegations for Commission personnel remain the subject of executive-legislative negotiation, but both sides are agreed today that Commission personnel will continue to serve in senior as well as clerical capacities, and that the precise role and rank will depend on the degree of relevant experience and expertise which staff members can bring to any given international conference.

Letters in the Commission's files and statements to us by leading officials in the executive as well as legislative branches expressed high regard for the Commission's contribution. Among them are letters from a former president; two secretaries of state; the two chairmen of the U.S. delegations to the follow-up meetings in, respectively, Belgrade and Madrid; and a number of leading senators, including the former chairman and the ranking minority member of the Senate Foreign Relations Committee.

Our talks with nongovernmental spokespersons elicited highly favorable comments on the work of the Commission and the calibre of the staff, although one expressed disappointment that the Commission has not been more critical of human rights violations in Turkey and Yugoslavia. (As noted previously, the Commission published a report in 1982 on the human rights situation in Turkey and has reported in its CSCE Digest on human rights

"participation by Commission staffers in meetings between U.S. officials and representatives of other governments will be subject to the direction and subordinate to the instructions of the Secretary of State."

Role in Helsinki meetings has  
entailed heavy expenditures  
for travel

Participation in the international Helsinki meetings has also raised concerns about the allocation of staff time and the level of expenditures on travel. The Co-chairman has noted that the Madrid conference used up to 50 percent of the time of nearly half the staff, who were

"performing duties for the U.S. delegation that ought to be supplied by the State Department, including translating, speech-writing, personal assistant to the Ambassador, staff director, press relations, note-taking and reporting, clerical and secretarial, and other duties normally performed by foreign service officers and staff."

A 1980 study of congressional committee foreign travel expenditures by the Congressional Quarterly found that the Commission ranked fifth among House committees/groups, with \$154,648. It was eighth in the following year, with \$135,104.

Of the amounts expended on foreign travel in those years, 71 percent and 95 percent, respectively, were accounted for by the Commission's participation in the Madrid review conference. That meeting went on intermittently over 3 years, during which the staff, as noted above, was rotated so that at all times some were serving on the delegation while the others were providing backup from Washington.

The procedures governing Commission travel are those applicable to standing committees of Congress. Its foreign travel funds are provided under section 502(b) of the Mutual Security Act of 1954 (from local currencies owned by the United States) and do not appear in its budget presentations. Domestic travel expenditures, budgeted for fiscal year 1985 at \$20,000, are provided from appropriated funds, and their expenditure is subject to the regulations governing executive agency travel.

Under a 1978 amendment to the Mutual Security Act of 1954, committee chairmen are required to file quarterly reports with the Clerk of the House or the Secretary of the Senate, itemizing the amounts and dollar equivalents of each foreign currency expended on foreign travel and the amounts from appropriated funds. The reporting forms show travel by name of the individual, arrival and departure dates, destination, and the amounts spent for transportation and per diem.

as well as ad hoc meetings on such subjects as countertrade and industrial cooperation.

Regarding the cultural commitments of the parties to the Helsinki accord, the Commission has lent its support to the establishment of the President's Commission on Foreign Language and International Studies and to efforts to strengthen U.S. cultural exchange activities with the Soviet Union and East Europe. On at least one occasion it interceded with the executive branch in opposition to proposed budget reductions in the U.S. Information Agency's exchange-of-persons programs.

The Commission has also conducted hearings under its second mandate. Two hearings held on implementation of the Final Act's economic provisions (1977 and 1980) featured testimony by American officials and a few American business leaders on post-Helsinki developments and prospects affecting East-West trade. A 1977 hearing considered statements by government and private leaders on the impact of Helsinki on the international flow of information and ideas. A 1980 hearing on scientific exchange, held jointly with subcommittees of the Foreign Affairs and the Science and Technology Committees of the House, featured testimony by American officials and scientific leaders concerned with preparations for the Helsinki Scientific Forum. (The Forum brought together Helsinki signatories in Hamburg for 2 weeks in February 1980 to discuss current scientific developments and the expansion of scientific contacts and communications.)

The 1980 hearings took place in the immediate wake of the Soviet invasion of Afghanistan in December 1979. According to staff members, that event, more than any other, put a damper on further progress and confirmed the judgment that the Commission should keep the primary emphasis on the human rights and humanitarian provisions of the Final Act. To the extent that the climate of East-West relations improves, there may be opportunities to do more under this mandate. For example, the Commission's 1977 Study Mission to Europe proposed that the executive branch organize

"meetings of U.S. groups, including businessmen, professionals and others, who may be affected by the key substantive areas of the Helsinki Final Act with the intention of stimulating private initiatives to implement the provisions and to gather pertinent data."

The report said the most effective "Helsinki-implementer" of all could turn out to be an informed public opinion:

"If medical associations, editorial boards of publishing houses, scholarly societies, journalists' groups, travel agencies, and universities were more aware of the specific Basket II and III

HELSINKI INTERNATIONAL MEETINGS--PAST AND PROJECTEDBelgrade Review Meeting

Preparatory Meeting 06/15/77-08/05/77

Main Meeting

Phase I	- Opening Session	10/04/77-11/14/77
Phase II	- Introduction and Discussion of New Proposals	11/15/77-12/22/77
Phase III	- Concluding Document	01/17/78-03/09/78

Experts MeetingsBonn, FRG

Meeting to Prepare for Scientific Forum 06/20/78-07/28/78

Hamburg, FRG

Scientific Forum 02/18/80-03/03/80

Montreux, Switzerland

Peaceful Settlement of Disputes 10/31/78-12/11/78

Valletta, Malta

Cooperation in Mediterranean 02/13/79-03/26/79

Madrid Review Meeting

Preparatory Meeting 09/09/80-11/10/80

Main Meeting

Phase I	- Opening Session	11/11/80-12/19/80
Phase II	- Consideration of New Proposals and Drafting Work	01/27/81-07/28/81
Phase III	- Review of Implementation	10/27/81-12/18/81
Phase IV	- Impasse over Military Security and Human Rights Issues	02/09/82-03/13/82
Phase V	- Complete Work on Concluding Document Based on RM-39	11/09/82-12/18/82
Phase VI	- Adopt Concluding Document	02/08/83-07/15/83
Phase VII	- Concluded With Speeches of Foreign Ministers	09/07/83-09/09/83

CURRENT AND FORMER CSCE COMMISSIONERSCurrent Members (As of August 3, 1984)House Members

Dante B. Fascell (D.FL)  
 Edward Markey (D.MA)  
 Don Ritter (R.PA)  
 Christopher H. Smith (R.NJ)  
 Timothy E. Wirth (D.CO)  
 Sidney R. Yates (D.IL)

Senate Members

Robert Dole (R.KS)  
 Alfonse M. D'Amato (R.NY)  
 Orrin G. Hatch (R.UT)  
 John Heinz (R.PA)  
 Patrick J. Leahy (D.VT)  
 Claiborne Pell (D.RI)

Executive Branch Members

U.S. Department of Commerce (Vacant)

Richard Perle

Assistant Secretary of Defense for International Planning

Elliott Abrams

Assistant Secretary of State for Human Rights and Humanitarian  
 Affairs, Bureau of European Affairs

CSCE Commissioners, 1976-PresentHOUSE COMMISSIONERSAppointed in 1976

Rep. Dante B. Fascell (D) (Chairman)  
 Rep. Sidney Yates (D)  
 Rep. Jonathan Bingham (D)  
 Rep. Paul Simon (D)  
 Rep. John Buchanan (R)  
 Rep. Millicent Fenwick (R)

Appointed in 1981

Rep. Don Ritter (R) (replaced Rep. John Buchanan)  
 Rep. Timothy Wirth (D) (replaced Rep. Paul Simon)

Appointed in 1983

Rep. Christopher Smith (R) (replaced Rep. Millicent Fenwick)  
 Rep. Edward Markey (D) (replaced Rep. Jonathan Bingham)

SENATE COMMISSIONERSAppointed in 1976

Sen. Claiborne Pell (D) (appointed Co-Chairman in July 1976)  
 Sen. Richard Clark (D)  
 Sen. Richard Stone (D)  
 Sen. Patrick Leahy (D)

HELSINKI COMMISSION PUBLICATIONSHEARINGSBasket II Hearings:

Title: East-West Economic Cooperation (1/13 and 1/14/77)  
Jacket: #83-157 - GPO Stock #052-003-00331-7  
Cost: \$1.60

Title: Review of Implementation of Basket II of the Helsinki Final Act (03/06/80). Joint Hearing before the Subcommittee on International Economic Policy and Trade of the Foreign Affairs Committee and the Commission on Security and Cooperation in Europe  
Jacket: #68-891

Basket III Hearings:Volume I

Title: Human Rights (2/23 & 2/24/77)  
Human Contacts: Family Reunification and Binational Marriages (3/15 and 3/17/77)  
Jacket: #87-587 - GPO Stock #052-070-04126-9  
Cost: \$3.00

Volume II

Title: Religious Liberty and Minority Rights in the Soviet Union (4/27 and 4/28/77)  
Helsinki Compliance in Eastern Europe (5/9/77)  
Jacket: #91-710 - GPO Stock #052-070-04155-2  
Cost: \$4.25

Volume III

Title: Information Flow, and Cultural and Educational Exchanges (5/19, 5/24, and 5/25/77)  
Jacket: #92-301 - GPO Stock #052-070-04148-0  
Cost: \$2.50

Volume IV

Title: Soviet Helsinki Watch, Reports on Repression (6/3/77)  
U.S. Policy and the Belgrade Conference (6/6/77)  
Jacket: #92-302 - GPO Stock #052-070-04151-0  
Cost: \$2.10

Volume XIII

Title: Soviet Treatment of Ethnic Groups (4/29/80)  
Jacket: #66-221 - GPO Stock #052-070-05393-3  
Cost: \$4.50

Volume XIV

Title: Religious Rights in the Soviet Union and Eastern Europe (5/21/80)  
Jacket: #66-222 - GPO Stock #052-070-05396-8  
Cost: \$5.00

Volume XV

Title: Religious and National Dissent in Lithuania (8/5/81)  
Jacket: #84-198

Implementation of the Helsinki Accords Miscellaneous Hearings

Title: The Helsinki Forum and East-West Scientific Exchange (Joint Hearing of the Committee on Science and Technology, Committee on Foreign Affairs and the Commission on Security and Cooperation in Europe) (1/31/80)

Jacket: #60-421

Title: Soviet Violation of Helsinki Final Act: Invasion of Afghanistan (Joint Hearing of the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee and the Committee on Security and Cooperation in Europe (7/22/81)

Jacket: #82-942

Title: Fifth Anniversary of the Formation of the Ukrainian Helsinki Group (11/16/81)

Jacket: #90-951

Title: The Crisis in Poland and its Effects on the Helsinki Process (12/28/81)

Jacket: #90-952

Title: Phase IV of the Madrid CSCE Review Meeting (03/23/82)

Jacket: #93-138

Title: Soviet Involvement in the Polish Economy (04/01/82)

Jacket: #93-644

CSCE COMMISSION REPORTS

The following publications are compiled and printed solely by the Commission and are available only at its office.

Reports of the Helsinki Accord Monitors in the Soviet Union -  
Documents of the Public Groups to Promote Observance of the  
Helsinki Agreements in the USSR  
Volume I dated February 24, 1977 (no longer in print)  
Volume II dated June 3, 1977  
Volume III dated November 7, 1978

Title: Implementation of the Final Act of the CSCE:  
Findings and Recommendations Two Years After  
Helsinki (9/23/77)  
Jacket: #94-638 - GPO Stock #052-070-04236  
Cost: \$2.75

Title: Implementation of the Final Act of the CSCE:  
Findings and Recommendations Five Years After  
Helsinki (8/01/80)  
Jacket: #66-219 - GPO Stock #052-070-05370-4  
Cost: \$6.50

Title: Implementation of the Final Act of the CSCE:  
Findings and Recommendations Seven Years  
After Helsinki (11/82)  
Jacket: #13-370

The Right to Know, the Right to Act - (documenting Helsinki Group dissent from the Soviet Union and Eastern Europe) dated May, 1978.

On Leaving the Soviet Union: Two Surveys Compared - dated May 1, 1978, a statistical analysis of the patterns and procedures in Soviet emigration.

On the Right to Emigrate for Religious Reasons: The Case of 10,000 Soviet Evangelical Christians - dated May 1979, documents the plight of Soviet Evangelical Protestants and their decision to emigrate.

Fulfilling Our Promises: The United States and the Helsinki Final Act - dated November 1979, examines the United States' compliance with all areas of the Final Act.

Profiles: The Helsinki Monitors - (out of print) dated December 1979, is a listing of biographical information on the arrested members of the various groups.

Activities Report, 95th Congress - (out of print) covers the period from January 1977 through the end of December 1979.



Activities Report, 96th Congress - Covers the period from January 1978 through the end of December 1980.

Activities Report, 97th Congress - Covers the period from January 1981 through the end of December 1982.

A Thematic Survey of the Documents of the Moscow Helsinki Group - dated May 12, 1981, summary of the documents released by the Moscow Helsinki Group on their fifth anniversary.

The Madrid CSCE Review Meeting: An Interim Report - dated January 6, 1981, a summary of the first phase of the Madrid follow-up meeting covering negotiations from November 11 through December 19, 1980.

The Madrid CSCE Review Meeting: Phase II Interim Report - dated August 1981, a summary of the second phase of the Madrid follow-up meeting which began January 27 and ended July 28, 1981.

The Madrid CSCE Review Meeting: Phase III Interim Report - dated January 8, 1982, a summary of the third phase of the Madrid follow-up meeting covering the period October 27 through December 18, 1981.

The Madrid CSCE Review Meeting: Phase IV Interim Report - dated March 23, 1982, a summary of the fourth phase of the Madrid follow-up meeting covering the period from February 9 through March 12, 1982.

The Madrid CSCE Review Meeting: Phase V Interim Report - dated January 14, 1983, a summary of the fifth phase of the Madrid follow-up meeting covering the period from November 9 through December 18, 1982.

Basket II Compliance: East European Economic Statistical Quality - dated May 1982, prepared by the Congressional Research Service for the use of the Commission on Security and Cooperation in Europe.

Human Rights in Czechoslovakia: The Documents of Charter '77, 1977-1982 - dated July 1982, compilation of nearly all the charter documents translated into English.

Negotiating with the Soviets in Madrid - Report prepared by World Affairs, which is a compilation of the major speeches given in Madrid beginning with the preparatory meeting in September 1980 through the end of phase IV, March 12, 1982.

The Madrid CSCE Review Meeting - dated November 1982, the final report issued by the Commission on the Madrid meeting.

Documents of the Soviet Groups to Establish Trust Between the U.S. and USSR - dated May 22, 1984.

PARTIAL LIST OF RELATED AMERICAN  
NONGOVERNMENTAL ORGANIZATIONS

Action for Soviet Jewry	Waltham, MA
Ad Hoc Congressional Committee on the Baltic States and Ukraine	Washington, D.C.
American Association for the Advancement of Science, Committee on Scientific Freedom and Responsibility and Clearinghouse on Science and Human Rights	Washington, D.C.
American Association for the International Commission of Jurists	New York, NY
American Bar Association	Chicago, IL
American Federation of Labor - Congress of Industrial Organizations	Washington, D.C.
American Hungarian Federation	Fairfax, VA
American Israel Public Affairs Committee	Washington, D.C.
American Jewish Committee	New York, NY
American Jewish Congress	New York, NY
American Latvian Association in the United States	Rockville, MD
American Society of International Law	Washington, D.C.
Americans for Human Rights in Ukraine	Newark, NJ
Amnesty International	New York, NY
Appeal of Conscience Foundation	New York, NY
Aspen Institute for Humanistic Studies	New York, NY
Association of American Publishers, International Freedom to Publish Committee	Washington, D.C.
Baltic American Freedom League	Los Angeles, CA
Bay Area Council on Soviet Jewry	San Francisco, CA
B'nai B'rith International	Washington, D.C.
Bulgarian National Front	Chicago, IL

# APPENDIX IV

Byelorussian Congress Committee of America  
Center for Russian and East European Jewry  
Chicago Helsinki Monitoring Committee  
Christian Response International  
Committee in Support of Solidarity  
Committee for Human Rights in Romania  
Committee of Concerned Scientists  
Congress of Russian Americans  
Congressional Friends of Human Rights  
Monitors  
Congressional Human Rights Caucus  
Coordinating Committee of Hungarian  
Organizations in North America  
Council of Free Czechoslovakia  
CREED  
Czechoslovak National Council of America  
Estonian American National Council  
Federation of American Scientists  
Freedom House  
Fund for Free Expression  
Greater New York Conference on Soviet Jewry  
Hebrew Immigrant Aid Society (HIAS)  
Helsinki Watch  
Human Rights for Ukraine Committee  
Human Rights Internet  
International Human Rights Law Group  
International League for Human Rights

# APPENDIX IV

Queens, NY  
New York, NY  
Chicago, IL  
Rockville, MD  
New York, NY  
New York, NY  
New York, NY  
Long Island  
City, NY  
Washington, D.C.  
Washington, D.C.  
Rockville, MD  
New York, NY  
Alexandria, VA  
Cicero, IL  
New York, NY  
Washington, D.C.  
New York, NY  
New York, NY  
New York, NY  
New York, NY  
Philadelphia, PA  
Washington, D.C.  
Washington, D.C.  
New York, NY

## APPENDIX IV

## APPENDIX IV

International Parliamentary Group for Human Rights in the Soviet Union	Washington, D.C.
International Society for Human Rights	New York, NY
Joint Baltic American National Committee	Rockville, MD
Keston College USA	Framingham, MA
Khronika Press	New York, NY
Lawyers Committee for International Human Rights	New York, NY
Lithuanian American Community of the USA	Dearborn, MI
Lithuanian American Council, Inc.	Chicago, IL
Lithuanian Catholic Religious Aid	Brooklyn, NY
Long Island Committee for Soviet Jewry	Hempstead, NY
National Conference on Soviet Jewry	New York, NY
National Council of Churches, Human Rights Office	New York, NY
National Council of Women of Free Czechoslovakia	Newark, NJ
National Interreligious Task Force on Soviet Jewry	Chicago, IL
National Jewish Community Relations Advisory Council	New York, NY
Polish-American Congress	Chicago, IL
Research Center for Religion and Human Rights in Closed Societies	New York, NY
Scientists for Sakharov, Orlov and Shcharansky	Berkeley, CA
Smoloskyp Organization for the Defense of Human Rights in Ukraine	Ellicott, MD
South Florida Conference on Soviet Jewry	Miami, FL
Student Struggle for Soviet Jewry	New York, NY
Supreme Committee for Liberation of Lithuania	Washington, D.C.
Ukrainian Congress Committee of America	New York, NY

APPENDIX IV

Ukrainian Human Rights Committee  
Ukrainian National Association  
Union of Councils for Soviet Jews  
World Federation of Free Latvians  
World Without War Council

APPENDIX IV

Philadelphia, PA  
Jersey City, NJ  
Washington, D.C.  
Rockville, MD  
Berkeley, CA

(462531)





30573

**AN EQUAL OPPORTUNITY EMPLOYER**

UNITED STATES  
GENERAL ACCOUNTING OFFICE  
WASHINGTON, D.C. 20548

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE \$300

**BULK RATE  
POSTAGE & FEES PAID  
GAO  
PERMIT No. G100**